

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :
:
:
v. : CIVIL ACTION NO. 07-CV-1359
:
FRANKIE G. BURTON :
:
:

ORDER

AND NOW this 26th day of October 2009, IT IS HEREBY ORDERED that:

1. Petitioner's correspondence received on September 25, 2009, shall be filed and docketed;
2. If Petitioner has exhausted his State court remedies or if his State court proceedings have concluded, Petitioner shall so advise the Court of the disposition of those proceedings on or before December 1, 2009, or suffer dismissal of this action. If said proceedings have not concluded, Petitioner shall file a status report with this Court every sixty (60) days, beginning on December 1, 2009, until the conclusion of his State court proceedings. The status report should be in the form of a written letter to the Court and should provide the Court with the status of the State court proceedings, including all developments and decisions rendered in those proceedings, failing which this matter shall be dismissed without further notice to Petitioner;
3. The Clerk of Court shall furnish Petitioner with two blank copies of this Court's current standard form for filing a petition pursuant to 28 U.S.C. § 2254, one bearing the above-captioned civil action number, the other blank². The Clerk of Court shall furnish Petitioner with a

²The blank petition and application are for Petitioner's use if he wishes to seek habeas corpus relief with respect to his Bucks County, Pennsylvania conviction. If filed that petition shall be opened as a new civil matter.

blank application to proceed *in forma pauperis*; and,

4. Petitioner shall complete this Court's current standard form of petition as directed by Local Civil Rule 9.3(b) and Rule 2 of the Rules Governing Section 2254 Cases in the United States District Courts, sign the completed petition, and return it to the Clerk of Court for filing in this matter within thirty (30) days, failing which this civil action will be dismissed without further notice to Petitioner.


JOEL H. SLOMSKY